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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/664,036	09/17/2003	Shinichi Handa	123776	2578
25944 7590 06/04/2008 OLIFF & BERRIDGE, PLC P.O. BOX 320850 ALEXANDRIA, VA 22320-4850				
EXAMINER				
ROY, SIKHA				
ART UNIT		PAPER NUMBER		
2879				
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06/04/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/664,036

Applicant(s)

HANDA ET AL.

Examiner

Sikha Roy

Art Unit

2879

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 October 2006.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7 and 9 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 7 and 9 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 17 September 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/5508)
Paper No(s)/Mail Date 2/15/06
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

The Response, filed on October 2, 2006 has been entered and acknowledged by the Examiner.

Claims 7 and 9 are pending in the instant application.

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, 'the insulating layer has a pattern whose shape is completely negative (opposite) to the shape of the at least one of a first character, a first figure, a first mark...' as claimed in claim 9 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New

Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 2000-229146 to Yashiro (of record), and further in view of USPN 5,902,688 to Antoniadis et al.

Regarding claim 9 Yashiro discloses (Figs. 1, 3, 6 English translation para [0035][0045] – [0048], [0050]) a pattern display apparatus (game stand of a slot machine) comprising a stationary display member 440 (acrylic plate of the front face of rotation reel) and a flexible EL lamp 451 located on the outer surface of the stationary display member. Yashiro discloses the EL emitter comprises a laminated structure comprising layers ordered in sequence of base layer 310, a first electrode 320, an EL layer 330, an insulating layer 340, a second electrode layer 350 and a flexible polyester film layer 360 sealing the device. Yashiro discloses (Fig. 1) the EL emitter formed of organic electroluminescent material (para [0105]) displays emission pattern 120 at least

one of a first character, a first figure, a first mark and a first pattern comprising at least one of a second character, a second figure, a second mark formed in the front panel.

Yashiro is silent regarding the insulating layer has a pattern completely negative (opposite) to the shape of the at least one of a first character, a first figure, a first mark and a first pattern comprising at least one of a second character, a second figure, a second mark.

Antoniadis in same field of organic EL displays discloses (Fig. 2) a pattern display apparatus comprising an organic electroluminescent device, the OEL being capable of displaying at least one of a first character, a first figure, a first mark and a first pattern comprising at least one of a second character, a second figure and a second mark, wherein the OEL device comprises a laminated structure comprising layers ordered in the sequence of a base layer 113, first electrode layer (111), an OEL layer (109,110), patterned insulating layer 117 and a second electrode (105). Antoniadis discloses that the insulating layer 117 has a pattern whose shape is completely opposite the shape of the at least one of a first character, a first figure, a first mark and a first pattern comprising at least one of a second character, a second figure and a second mark (column 8, lines 42-51). Antoniadis teaches (col. 6 lines 5-45) this configuration permits current to pass through EL materials and generate light in some areas (115) and inhibits local generation of light in some other areas (117) and thus lighted pattern can be displayed.

Therefore it would have been obvious to one of ordinary skill in the art at the time of invention to modify the insulation layer between the light emitting layer and the

second electrode of Yashiro having a pattern whose shape is completely opposite the shape of the at least one of a first character, a first figure, a first mark and a first pattern comprising at least one of a second character, a second figure and a second mark as taught by Antoniadis for permitting current to pass through EL materials and generate light in some areas and inhibit local generation of light in some other areas and thus displaying lighted pattern.

Regarding claim 7, the claim limitation of the stationary display member being used in a point of purchase advertisement is a statement of intended use and does not differentiate the claimed apparatus of the combined references above, which satisfies the claimed structural limitations.

Response to Arguments

Applicant's arguments with respect to claim 9 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US Patent Application Publication 2004/0043191 to Zovko and USPN 6,965,196 to Murasko et al. disclose displaying electroluminescent sign.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sikha Roy whose telephone number is (571) 272-2463. The examiner can normally be reached on Monday-Friday 8:00 a.m. – 4:30 p.m.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar D. Patel can be reached on (571) 272-2457. The fax phone number for the organization is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sikha Roy/

Primary Examiner, Art Unit 2879